

**Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the matter of)	
)	
MARITIME COMMUNICATIONS/LAND	)	EB Docket No. 11-71
MOBILE, LLC	)	File No. EB-09-IH-1751
	)	FRN: 0013587779
Participant in Auction No. 61 and Licensee of Various)	
Authorizations in the Wireless Radio Services)	
)	
Applicant for Modification of Various)	
Authorizations in the Wireless Radio Services)	
	)	Application File Nos. 0004030479,
Applicant with ENCANA OIL AND GAS (USA),	)	0004144435, 0004193028,
INC.; DUQUESNE LIGHT COMPANY; DCP	)	0004193328, 0004354053,
MIDSTREAM, LP; JACKSON COUNTY RURAL	)	0004309872, 0004310060,
MEMBERSHIP ELECTRIC COOPERATIVE;	)	0004314903, 0004315013,
PUGET SOUND ENERGY, INC.; ENBRIDGE	)	0004430505, 0004417199,
ENERGY COMPANY, INC.; INTERSTATE POWER	)	0004419431, 0004422320,
AND LIGHT COMPANY; WISCONSIN POWER	)	0004422329, 0004507921,
AND LIGHT COMPANY; DIXIE ELECTRIC	)	0004153701, 0004526264,
MEMBERSHIP CORPORATION, INC.; ATLAS	)	0004636537 & 0004604962
PIPELINE – MID CONTINENT, LLC; DENTON)	
COUNTY ELECTRIC COOPERATIVE, INC., DBA)	
COSERV ELECTRIC; AND SOUTHERN)	
CALIFORNIA REGIONAL RAIL AUTHORITY)	
To: Marlene H. Dortch, Secretary		
Attn: Richard L. Sippel, Chief Administrative Law Judge		

**JOINT STATEMENT OF CHOCTAW AND MARITIME PURSUANT
TO THE PRESIDING JUDGE’S AUGUST 29, 2017 ORDER (FCC 17M-32)**

Choctaw Telecommunications, LLC and Choctaw Holdings, LLC (“Choctaw”) and
Maritime Communications/Land Mobile, LLC (“Maritime”), jointly submit this statement in
response to the Presiding Judge’s August 29, 2017, Order (FCC 17M-32).

The Presiding Judge has asked for clarification on: (1) the “use, or non-use” of the spectrum at Locations 3 and 13 of Station KAE889 by the Evergreen School District (“ESD”), (2) “the approximate month and year ESD stopped using KAE889’s spectrum,” (3) “the status of ESD’s spectrum lease(s) with Maritime,” and (4) the estimated time in which Choctaw could have the facilities broadcast-ready. *Order* at p. 2. Choctaw and Maritime provide the following responsive information.

(1) Use of KAE889 spectrum by ESD. ESD leased from Maritime the right to use spectrum within the footprint Locations 3 and 13 of AMTS Station KAE889. Pursuant to this spectrum lease, ESD operated facilities on KAE889 spectrum in a radio system used to coordinate student transportation and safety as well as emergency communications with all schools and key personnel. See *Declaration of Evergreen School District Concerning Lease of Spectrum from Maritime*, EB Exhibit No. 47. During the term of the lease, Maritime temporarily ceased operation from the licensed locations so as not to interfere with ESD’s operations pursuant to the spectrum lease.

(2) Month and year ESD stopped using KAE889 spectrum. Neither Choctaw nor Maritime has any direct knowledge of the exact date ESD stopped using the KAE889 spectrum. ESD has an effective spectrum lease agreement prepaid through the end of the lease term that expires July 14, 2019. See EB Exhibit No. 47 at p. 3. Choctaw and Maritime learned only shortly before the Issue G hearing held in December of 2014, that ESD had apparently decided to migrate to other frequencies and cease operation on the KAE889 spectrum effective September

7, 2014. See *Prefiled Testimony of William Thackeray*, EB Exhibit 1F at p. 3.¹ John Reardon (a Choctaw employee and former Maritime employee) contacted William Thackeray (an ESD official) prior to the December hearing and was advised that, after having been contacted by FCC personnel (presumably the Enforcement Bureau), ESD became concerned that the license may be terminated, prompting it to pursue other options. *Testimony of John Reardon*, Transcript Vol. 12, pp. 1490.

(3) Status of ESD's spectrum lease with Maritime. As stated in the preceding section, ESD advised the Enforcement Bureau that it would cease using the spectrum effective September 7, 2014. ESD has never given any formal notice of termination, and the lease is prepaid through the term expiring July 14, 2019. *Testimony of Sandra DePriest*, Transcript Vol. 11, pp. 1360; *Testimony of John Reardon*, Transcript Vol. 11, p. 1402. It is nevertheless the intention of Choctaw, which recently took assignment of the license for Station KAE889, to resume operation of the licensed facilities for Locations 3 and 13 as soon as possible.

(4) Estimated time to have facilities broadcast-ready. Mr. Reardon has been in contact with the manager for Locations 3 and 13 and is arranging for new site leases. It is anticipated that the facilities can be operational within 60 to 90 days at Location 3 and within four to five weeks at location 13, if not sooner. See attached *Declaration of John Reardon*.

¹ It appears that Exhibit 1F was not admitted into evidence due to the inability of Mr. Thackeray to be available for cross-examination. However, neither Choctaw nor Maritime disputes the factual assertions contained in his prefiled testimony, nor to the best of their knowledge does the Enforcement Bureau or any other party.

Choctaw and Maritime remain ready and willing to promptly supply any additional information the Presiding Judge may require.


Respectfully submitted,

CHOCTAW TELECOMMUNICATIONS, LLC
CHOCTAW HOLDING, LLC

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MARITIME COMMUNICATIONS/LAND
MOBILE, LLC – DEBTOR-IN-POSSESSION

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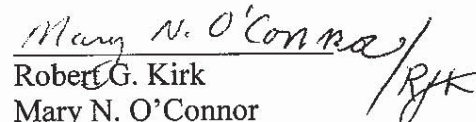
Dated: September 8, 2017

Choctaw and Maritime remain ready and willing to promptly supply any additional information the Presiding Judge may require.

Respectfully submitted,


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Dated: September 8, 2017

DECLARATION OF JOHN REARDON

1. I, John Reardon, hereby declare as follows:

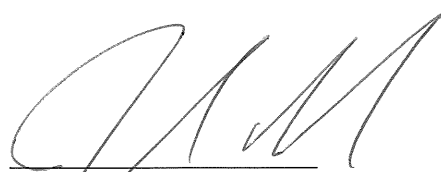
2. I am currently employed by Choctaw Telecommunications, LLC and Choctaw Holdings, LLC (collectively, "Choctaw") as Managing Director. My responsibilities include assisting with development and implementation of Choctaw's business plan. I previously served as manager of operations for Maritime Communications/Land Mobile, LLC ("Maritime").

3. As I testified during the Issue G phase of the hearing proceedings, pursuant to a spectrum lease Evergreen School District ("ESD") operated on spectrum licensed to Maritime within the footprint of Locations 3 and 13 of AMTS Station KAE889. Maritime temporarily suspended operations from these two locations so as not to interfere with ESD's operations under the lease.

4. Pursuant to a Commission grant of Second Thursday relief, Choctaw recently took assignment of the Maritime licenses, including Station KAE889. I have since been in communication with Crown Castle and Day Wireless, the site managers for Locations 3 and 13, respectively. Each is prepared to enter into a new site lease agreement with Choctaw. Based on these discussions, leases can be finalized and operation restored in approximately 60 to 90 days at Location 3 and within approximately 4 to 5 weeks at Location 13. Choctaw is committed to meeting or beating this schedule.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 8th day of September 2017.



John Reardon

CERTIFICATE OF SERVICE

I, Robert J. Keller, hereby certify that on this 8th day of September 2017, copies of foregoing document served via first class mail to the following:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
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Washington, D.C. 20554

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